REMARKS

In the present response, claims 27, 29, 31, and 34 are amended and claims 36-38 have been added. Support for these amendments/additions is found throughout the originally submitted application. Therefore, claims 3-7, 9-11, 13-14, 18-20, 23, and 25-38 are pending.

The Applicants are confused as to the status of the Office Action. In the Office Action Summary the action is said to be final, however, the detailed action, section 1, says the action is non-final.

Claim Rejections – 35 USC 112

In the Office Action, claim 35 is rejected under 112, second paragraph, as being indefinite. In particular, the Office Action states that if it is determined in claim 34 that one query is issued then claim 35 is indefinite because it is claiming the possibility of more than one query issued.

The Applicants assert that claim 35 presents a proper dependent claim under 37 CFR 1.75 because it refers back to, and further limits, claim 34. That is, claim 34 includes the possibility of constructing/issuing one OR more queries, while claim 35 further limits that possibility to constructing/issuing at least a first and a second query.

It is also noted that claim 34 can be interpreted as choosing one of two selections (local or remote information resource), however, claim 35 preserves the possibility of requiring both types of information resources. The Applicants believe the language of claim 34 is properly interpreted as choosing at least one of the two selections. There is no restrictive language that would prevent choosing more than one. Nevertheless, to avoid the possibility of misinterpretation, the Applicants present the above amendment to claim 34 so that it is clear that one or more queries can be issued to the local information resource, the remote information resource, or both the local and remote information resources.

Rejections Under 35 U.S.C. §103

In the Office Action claims 27, 29, 31-35, 3-4, 6-7, 13-14, 18, 23, and 28 are rejected under 35 § U.S.C. 103 as being unpatentable over Blinn et al (U.S. Patent No. 5,897,622) (hereinafter "Blinn") in view of Nazem (U.S. Patent No. 5,983,227) (hereinafter "Nazem") and in view of Bijnagte (U.S. Patent No. 5,235,680) (hereinafter "Bijnagte"). The Applicants respectfully traverse these rejections.

Claim 27, for example, recites:

> An apparatus for the provisioning of information pages comprising:
> a storage device having stored therein a plurality of executable instructions that implements an information server for **receiving** a uniform resource locator (URL) comprising **a server name immediately followed by a separator immediately followed by an identifier** interpreted by the information server as a resource identifier identifying a resource, and in response, **constructing and issuing one or more queries including the resource identifier to retrieve information corresponding to the identified resource and dynamically generating instructions to create the associated information page for the identified resource for provisioning to a client**; and
> a processor coupled to the storage device to execute the stored executable instructions.

Assuming *arguendo* that the combination of the above cited articles is a proper one, it still does not make the subject matter of claim 27, as a whole, obvious.

To establish obviousness under 35 U.S.C. § 103, the Examiner must meet the standard set forth by the Supreme Court in Graham v. John Deere Co. That standard requires that the Examiner (1) determine the scope and content of the prior art; (2) ascertain the differences between the prior art and the claims in issue; (3) resolve the level of ordinary skill in the art; and (4) evaluate evidence of secondary considerations. 383 U.S. 1, 17-18 (1966); see also MPEP 2141. Further, in applying the Graham framework, the Examiner must consider the invention as a whole, without the benefit of hindsight. MPEP 2141.

The Applicant would also like to point out that, a claim term should be interpreted as it would be understood by a person of ordinary skill in the art using their

understanding of the ordinary and customary meaning of the term in their field in context of the entire patent, including the specification. *Phillips v. AWH Corp.*, No. 03-1269, 1285, 2005 U.S. App. LEXIS 13954, at *24 (Fed. Cir. July 12, 2005) (en banc)

The differences between the subject matter of claim 27 and the combination of the cited articles includes, but is not limited to, an information server for receiving a URL, of the nature recited in claim 27, in response to said receiving of the URL, constructing and issuing one or more queries including a resource identifier; and dynamically generating instructions to create an associated information page for the resource identified by the resource identifier for provisioning to the client.

In the Office Action, it is stated "Blinn does not specifically teach a resource identifier immediately following a server name," however, the Office Action goes on to say that "Nazem teaches a URL with a server name (quote.yahoo.com) with a resource identifier call to Dow Jones immediately after said server (quotes?SYMBOLS=^DJI&detailed=t)..." And, in Response to Applicant's Arguments, the Examiner submits that this teaching can be fairly interpreted as an identifier. The Applicants respectfully submit that one skilled in the art would not interpret Nazem to teach an "identifier" as used in the context of claim 27 and further clarified by the teachings of the specification of the present application.

The Applicants can identify two attempted interpretations of Nazem's teachings, neither of which satisfactorily meet the subject matter of claim 27 as read as a whole. The first attempted interpretation is that the entire string, i.e., "quotes?SYMBOLS=^DJI& DJI&detailed=t," is the "identifier." The entire string includes a path (quotes) and a query string (?SYMBOLS=^DJI& DJI&detailed=t) having parameter-value pairs. When a server processes this URL, it will construct queries that will be executed in the designated path in an attempt to find information on the values given in the parameter-value pairs. Therefore, the entire string cannot be fairly interpreted as an "identifier" when only the values will identify resources and have information corresponding thereto. Furthermore, it is clear that the entire string would

not be included in the one or more queries constructed and issued to retrieve said information. For at least these reasons, it is improper to interpret the entire string as the identifier discussed in claim 27.

The second attempted interpretation is that "quotes" is the "identifier." However, "quotes" is simply a path where the query string will be executed in an attempt to find information related to the values. Similar to the above discussion, "quotes" does not identify a resource; it is not included in the one or more queries constructed and issued to retrieve information corresponding to the identified resource (which has not been identified); and there is no information page associated with the identified resource. For at least these reasons, it is improper to interpret "quotes" as the identifier discussed in claim 27.

The Examiner has also alluded that the discussion in Blinn in Column 7, lines 15-41 suggest the subject matter of claim 27, for example. The Applicants herein traverse this statement.

In this cited portion includes an URL having the form:

http://server_name/environment.security/pgen/store_name/shopper_id..."

In this URL, the environment portion immediately follows the separator. This portion describes the version of the merchant system used. This could not fairly be interpreted as an identifier, as used in the context of claim 27. Attempting to interpret the environment portion as an identifier has shortcomings similar to those discussed above. Some of these shortcomings are that the environment portion does not identify a resource; it is not included in the one or more queries constructed and issued to retrieve information corresponding to the identified resource (which has not been identified); and there is no information page associated with the identified resource.

Even is one were to assume, for the sake of argument, that the above cited articles include all of the elements of claim 27, for example, there is insufficient

motivation in the articles or elsewhere to combine said elements in the manner recited in claim 27.

None of the cited articles, alone or in combination, teach or make obvious the subject matter of claim 27 as a whole. Additionally, there is insufficient motivation to combine these articles. Therefore, this claim is patentable over these articles and the Applicant respectfully requests the Examiner to withdraw these rejections of this claim.

Furthermore, the remainder of the pending claims, i.e., claims 29, 32, 3-6, 9-11, 13-14, 18-20, 23, 25-26, and 28-32 either depend from, or include similar limitations to claim 27. Therefore, these claims are patentably distinct from the cited articles for at least the foregoing reasons and the Applicant hereby requests that the Examiner withdraw this rejection of these claims.

Applicant respectfully submits that the claims, as pending, are patentable over the cited articles. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (503) 796-2972. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,
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